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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 10 UNITED STATES OF AMERICA,) No. CR-11-00742 SBA
14 Plaintiff,)
15 v.) STIPULATED REQUEST TO CONTINUE
16) HEARING DATE TO FEBRUARY 15,
17) 2013 AND TO EXCLUDE TIME UNDER
VISHAL DASA,) THE SPEEDY TRIAL ACT AND
ANJI REDDY DIRISINALA,) ~~[PROPOSED]~~ ORDER
RAMAKRISHNA REDDY KARRA, and)
TUSHAR TAMBE) Hearing Date: January 4, 2013
Defendants.) Time: 10:00 a.m.

The Honorable Kandis A. Westmore

18 The above-captioned matter is set on January 4, 2013 before this Court for a status
19 hearing. The parties jointly request that the Court continue the matter to February 15, 2013, at
20 9:30 a.m., before the sitting magistrate court, and that the Court exclude time under the Speedy
21 Trial Act, 18 U.S.C. § 3161, between January 4, 2013 and February 15, 2013, so that the defense
22 can have additional time to review and assess the voluminous discovery in this case, including
23 supplemental discovery. Counsel for Mr. Anji Dirisinala, however, plans to appear on January 4,
24 2013 on behalf of her client so that new counsel may be appointed.

25 On October 7, 2011, the United States Attorney filed a one-count Information charging
26 defendants with conspiracy to commit visa fraud in violation of 18 U.S.C. §§ 371 and 1546(a).

Stip. Req. To Continue Hearing Date and to
Exclude Time, No. CR-11-0742 SBA

1 On October 11, 2011, the defendants appeared before the magistrate court, waived Indictment
2 and were arraigned. Defendants face a maximum sentence of five years imprisonment on this
3 charge.

4 By way of background, this case is related to a larger investigation involving Tri-Valley
5 University (“TVU”), which the government has alleged was a sham university that accepted
6 foreign students and issued legal status for these students without requiring that they attend
7 classes. *See* Indictment in *United States v. Susan Su*, CR 11-00288-SBA. That case is set for
8 trial in the Spring of 2013. The case against Ms. Su is likely to proceed to trial and the parties
9 anticipate that this case will resolve before that trial proceeds.

10 The four defendants charged in this related case request additional time to review the
11 discovery that the government has already produced, which includes voluminous files from TVU
12 computers that the government seized and that the defendants need to review. Additionally, the
13 defense requested that the government produce additional discovery relating to the broader
14 investigation in this case, and the government has produced that discovery. For these reasons,
15 the defense requests additional time to review discovery and to assess this case, and the parties
16 agree that this is an appropriate reason to continue this case until February 15, 2013.

17 The parties stipulate and agree that the ends of justice served by this continuance
18 outweigh the best interest of the public and the defendants in a speedy trial. The parties further
19 agree that the failure to grant this continuance would unreasonably deny counsel for defendants
20 the reasonable time necessary for effective preparation, taking into account the exercise of due
21 diligence. Accordingly, the parties agree that the period of time from January 4, 2013 until
22 February 15, 2013, should be excluded in accordance with the provisions of the Speedy Trial
23 Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of defense counsel, taking
24 into account the exercise of due diligence.

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26

1 DATED:January 3, 2013

/S/

WADE M. RHYNE
HARTLEY M.K. WEST
Assistant United States Attorneys

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3
4 DATED: January 3, 2013

/S/

KENNETH MCGUIRE
Counsel for Tushar Tambe

5
6 DATED: January 3, 2013

/S/

GINNY H.K. WALIA
Counsel for Ramakrishna Reddy Karra

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8
9 DATED: January 3, 2013

/S/

ANGELA M. HANSEN
Assistant Federal Public Defender
Counsel for Vishal Dasa

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ORDER

2 Based on the reasons provided in the stipulation of the parties above, the Court hereby
3 FINDS:

4 1. Given that this case is related to a larger investigation involving Tri-Valley
5 University and the Indictment in *United States v. Susan Su*, CR 11-00288-SBA, and that the
6 government produced discovery to defendants that includes voluminous computer files from the
7 University that the defense needs to review;

8 2. Given that the defense has requested additional discovery and that the government
9 produced and the defense needs to review:

10 3. Given that a complete review of the discovery is necessary to the defense
11 preparation of the case and that the failure to grant the requested continuance would
12 unreasonably deny counsel for defendants the reasonable time necessary for effective
13 preparation, taking into account the exercise of due diligence:

14 4. Given that the ends of justice served by this continuance outweigh the best interest
15 of the public and the defendants in a speedy trial:

16 Based on these findings, IT IS HEREBY ORDERED that the STATUS date of January 4,
17 2013, scheduled at 9:30 a.m., before the Honorable Kandis A. Westmore, is vacated for all of the
18 defendants except for Anji Dirisinala and is reset for February 15, 2013, at 9:30 a.m. before the
19 sitting magistrate court. It is FURTHER ORDERED that time is excluded pursuant to the
20 Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from January 4, 2013 until February
21 15, 2013.

22 || January 3, 2013

Kandis Westmore
KANDIS A. WESTMORE
United States Magistrate Judge